

**IN THE UNITED STATES DISTRICT COURT  
IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

**INTELLECTUAL VENTURES I, LLC;  
INTELLECTUAL VENTURES II, LLC**

**Plaintiffs,**

**v.**

**LENOVO GROUP LTD., LENOVO  
(UNITED STATES) INC.,  
LENOVOEMC PRODUCTS USA, LLC,  
and EMC CORP.**

**Defendant.**

**Civil Action No. 1:16-cv-10860-IT**

**JURY TRIAL DEMANDED**

**PLAINTIFFS' PRELIMINARY INFRINGEMENT DISCLOSURE**

Pursuant to Local Rule 16.6, Plaintiffs Intellectual Ventures I, LLC and Intellectual Ventures II, LLC (collectively, "IV" or "Plaintiff") respectfully submit this Preliminary Infringement Disclosure ("Initial Contentions") describing the infringement of Plaintiffs' Patents-in-suit by Lenovo Group Ltd., Lenovo (United States) Inc., (collectively, "Lenovo Defendants"), LenovoEMC Products USA, LLC ("LenovoEMC"), and EMC Corp. ("EMC") (all defendants collectively referred to hereinafter as "Defendants").

These Initial Contentions are based on information of which Plaintiff is presently aware from publicly available sources. These Initial Contentions are provided prior to any discovery having occurred in the case, and are subject to being supplemented and amended in accordance with Local Rule 16.6, as permitted by agreement between the parties, or an Order of the Court.

**A. The Accused Products**

Based upon information presently available to Plaintiff, Plaintiff asserts that the Defendants directly infringe, or additionally or in the alternative, infringe under the doctrine of equivalents, claims of the Patents-in-Suit in accordance with the tables herein, and in accordance with Exhibit A attached to these Initial Contentions, which contain a detailed description of how

each limitation of the asserted claims of Patents-in-Suit are embodied in the Accused Products of the various Defendants. Consistent with this disclosure and its attached Exhibit A, each and every limitation of the asserted claims of the Patents in Suit are literally infringed by the Defendants. In addition, if it is determined that any limitation is not literally infringed by any Defendant, then those limitations are infringed under the doctrine of equivalents. The Accused Products and citations to publicly available information concerning those Accused Products discussed in these Initial Contentions are intended to be illustrative and exemplary, and are not and need not be considered exhaustive.

### **Infringement by EMC**

<b>Patent No.</b>	<b>Claims Infringed</b>	<b>Exemplary Infringing Products</b>
<b>6,516,442</b>	1, 11, 12, 24	EMC VMAX
<b>6,968,459</b>	18, 24, 25	Products utilizing EMC Unisphere, including without limitation EMC CLARiiON, Celerra, and VNX series storage systems
<b>6,775,745</b>	4, 5, 6	Products utilizing EMC FAST Cache
<b>8,275,827</b>	1, 3, 4, 5, 8, 9, 13, 15, 16, 17, 20, 21	EMC Isilon Scale-Out NAS
<b>8,387,132</b>	1, 9	EMC VIPR controller and supported platforms including without limitation VMAX, VNX, VNXe3200, VPLEX, Isilon, RecoverPoint, ViPR SRM, XtremIO, ScaleIO, Data Domain, and VCE Vblock Systems
<b>9,098,685</b>	1, 3, 8, 9, 11, 16, 19	Products utilizing RSA Authentication Manager, including without limitation the EMC Converged Platform VCE Vblock, EMC RSA Authentication Manager virtual, and associated hardware appliances

**Infringement by Lenovo Defendants**

<b>Patent No.</b>	<b>Claims Infringed</b>	<b>Exemplary Infringing Products</b>
<b>6,516,442</b>	1, 8, 11, 12, 24, 31, 34	Lenovo's Flex System Interconnect Fabric technology, including at least the Lenovo RackSwitch G8264CS, Lenovo Flex System Fabric SI4093 System Interconnect Module, Lenovo Flex System Fabric EN4093R 10Gb Scalable Switch, Embedded VFA or CN4054/CN4054R adapters, IBM Storwize V7000 for Lenovo, Single IP managed multi-rack cluster (hDFP), and its Multi-rack Flex System Interconnect software
<b>6,968,459</b>	15, 18, 24, 25	Products utilizing Self-Encrypting Drives (SED), including without limitation Lenovo X Systems
<b>6,775,745</b>	4	"Easy Tier" based products including without limitation Lenovo Storage V series and IBM Storwize Storage Solutions
<b>8,275,827</b>	1, 3, 4, 6-8, 13, 15, 16, 18-20	Lenovo M5 servers
<b>8,387,132</b>	1, 9	Lenovo Rack Servers

**Infringement by LenovoEMC**

<b>Patent No.</b>	<b>Claims Infringed</b>	<b>Exemplary Infringing Products</b>
<b>6,775,745</b>	4	Products utilizing SSD Cache Pools, including without limitation LenovoEMC PX4-300D, PX4-400d, PX4-400r, PX6-300d, PX12-400r and PX12-450r.
<b>6,968,459</b>	18, 25	Products utilizing volume encryption, including without limitation the PX4-300D, PX4-400d, PX12-450r, and PX4-400r.

Dated: September 2, 2016

Respectfully submitted,

/s/ *Brian Ledahl*

Brian D. Ledahl (CA SB No. 186579)

Arka D. Chatterjee (CA SB No. 268546)

RUSS AUGUST & KABAT

12424 Wilshire Boulevard 12<sup>th</sup> Floor

Los Angeles, California 90025

Telephone: 310-826-7474

Facsimile: 310-826-6991

E-mail: [bledahl@raklaw.com](mailto:bledahl@raklaw.com)

E-mail: [achatterjee@raklaw.com](mailto:achatterjee@raklaw.com)

David S. Godkin (BBO #196530)

BIRNBAUM & GODKIN, LLP

280 Summer Street

Boston, MA 02210

Telephone: 617-307-6100

Attorneys for Plaintiffs,

*Intellectual Ventures I, LLC*

*Intellectual Ventures II, LLC*

**CERTIFICATE OF SERVICE**

I hereby certify pursuant to the Federal Rules of Civil Procedure and Local Rules 5.2 and 5.4 that the Plaintiffs' Preliminary Infringement Disclosure was served upon the attorney(s) of record for each party via the Court's ECF system, and via email, as of September 2, 2016.

/s/ Brian D. Ledahl  
Brian D. Ledahl